

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
AIR QUALITY TECHNICAL ADVISORY COMMITTEE MEETING

Tuesday, May 23, 2006
MAG Office
Phoenix, Arizona

MEMBERS PRESENT

Stephen Cleveland, City of Goodyear, Chairman
Avondale: Michael Powell
Buckeye: Lucky Roberts
#Chandler: Jim Weiss
*Gilbert: Tami Ryall
Glendale: Doug Kukino
Mesa: Scott Bouchie
Phoenix: Gaye Knight
#Scottsdale: Larry Person
Surprise: Antonio DeLaCruz
Tempe: Oddvar Tveit
*Citizen Representative: Walter Bouchard
*American Lung Association of Arizona: Bill Pfeifer
#Salt River Project: Sunil Varma
*Southwest Gas Corporation: Brian O'Donnell
*Arizona Public Service Company: Jim Mikula
#Western States Petroleum Association: Gina Grey
Valley Metro: Randi Alcott
*Arizona Motor Transport Association: Dave Berry
*Maricopa County Farm Bureau: Jeannette Fish
Arizona Rock Products Association: Steve
Trussell for Russell Bowers
*Greater Phoenix Chamber of Commerce: Michelle
Rill

*Associated General Contractors: Amanda
McGennis
Homebuilders Association of Central Arizona:
Spencer Kamps for Connie Wilhelm-Garcia
*American Institute of Architects - Central Arizona:
Stephen J. Andros
*Valley Forward: Mannie Carpenter
University of Arizona - Cooperative Extension:
Patrick Clay
Arizona Department of Transportation: Beverly
Chenausky
Arizona Department of Environmental Quality:
Peter Hyde
Environmental Protection Agency: Wienke Tax
Maricopa County Air Quality Department: Dena
Konopka for Jo Crumbaker
#Arizona Department of Weights and Measures:
Steve Meissner for Duane Yantorno
Federal Highway Administration: Ed Stillings
*Arizona State University: Judi Nelson
#Salt River Pima-Maricopa Indian Community:
Christella Armijo for B. Bobby Ramirez
*David Rueckert, Citizen Representative

*Members neither present nor represented by proxy.
#Participated via telephone conference call.
+Participated via video conference call.

OTHERS PRESENT

Lindy Bauer, Maricopa Association of Governments
Cathy Arthur, Maricopa Association of
Governments
Dean Giles, Maricopa Association of Governments
Julie Hoffman, Maricopa Association of
Governments

Ranjith Dandanayakula, Maricopa Association of
Governments
Bill Buck, Arizona Auto Hobbyist
Michael Salisbury, Town of Buckeye
Shane Kiesow, City of Apache Junction

1. Call to Order

A meeting of the MAG Air Quality Technical Advisory Committee was conducted on May 23, 2006. Stephen Cleveland, City of Goodyear, Chairman, called the meeting to order at approximately 1:35 p.m. Larry Person, City of Scottsdale; Steve Meissner, Arizona Department of Weights and Measures; Jim Weiss, City of Chandler; Sunil Varma, Salt River Project; Gina Grey, Western States Petroleum Association; and Christella Armijo, Salt River Pima-Maricopa Indian Community, attended the meeting via telephone conference call.

2. Call to the Audience

Mr. Cleveland stated that, according to the MAG public comment process, members of the audience who wish to speak are requested to fill out comment cards, which are available on the table adjacent to the doorway inside the meeting room. Citizens are asked not to exceed a three minute time period for their comments. Public comment is provided at the beginning of the meeting for nonagenda items and nonaction agenda items. Mr. Cleveland noted that no public comment cards had been received.

3. Approval of the April 27, 2006 Meeting Minutes

The Committee reviewed the minutes from the April 27, 2006 meeting. Wienke Tax, Environmental Protection Agency, inquired about a statement made under agenda item #8, Tentative MAG Air Quality Project Schedule for 2006 and 2007, regarding the 8-hour ozone monitoring data and attainment year. Lindy Bauer, Maricopa Association of Governments, replied that 2005 was the first year the region reported no violating monitors when looking at the three year average of 2003, 2004, and 2005. The region will need three years from the 2009 attainment date. Ms. Tax commented on the monitoring data for 2003, 2004, and 2005. Ms. Bauer stated that the region will need to continue the monitoring data trend to be deemed attainment by 2009.

Oddvar Tveit, City of Tempe, moved and Scott Bouchie, City of Mesa, seconded and the motion to approve the April 27, 2006 meeting minutes carried unanimously.

7. Funding Needed for Transportation Control Measures in Air Quality Plans

This agenda item was taken out of order.

Ms. Bauer gave an update on the request to the Legislature to provide funding for some of the transportation control measures previously funded by the Arizona Department of Environmental Quality (ADEQ). She mentioned that SB 1563, with companion bill HB 2863, included \$948,000 for the Maricopa County Trip Reduction Program for next year. In addition to the funding previously received by ADEQ, the Maricopa County Voluntary Vehicle Repair and Retrofit Program receives funding from diesel registration fees. Ms. Bauer stated that according to Legislative staff, \$1.2 million is available to be allocated to the Vehicle Repair and Retrofit Program which should be sufficient to cover the Program. The Legislative staff did note that the fund for this Program is shrinking since revenues are approximately \$800,000 per year and expenses are about \$1 million per year. Ms. Bauer stated that the appropriation of the \$948,000 for the Trip Reduction Program is out of the General Fund this year and the Legislature will look for a permanent source of funding for both programs next year.

Mr. Cleveland recognized public comment from Bill Buck, Arizona Auto Hobbyist, who expressed concern about the lack of funding for the Maricopa County Voluntary Vehicle Repair and Retrofit Program. He inquired about the \$1.2 million allocated to the Program. Ms. Bauer replied that A.R.S. 49-551 discusses the diesel registration fee and that those fees go towards the Vehicle Repair and Retrofit Program. She stated that Legislative staff has indicated that \$1.2 million is currently available for the Program. Mr. Buck asked about the shrinking fund. Ms. Bauer replied that with revenues of \$800,000 per year and expenses of \$1 million per year, a more stable source of funding is needed for the Program. Mr. Buck inquired if there is any problem with continuing the Program. Ms. Bauer responded that according to Legislative staff, the Program is fine for now. As with the Trip Reduction Program, it is our understanding that the Legislature next session will address more stable, permanent sources of funding. Mr. Buck stated that the Maricopa County Voluntary Vehicle Repair and Retrofit Program is a model program with the lowest cost of pollution reduction in the United States. He expressed strong support for the Program.

4. Evaluation of Proposed CMAQ Projects for the Federal FY 2006 Interim Year End Closeout

Dean Giles, Maricopa Association of Governments, gave a presentation on the evaluation of proposed Congestion Mitigation and Air Quality Improvement (CMAQ) projects for Federal FY 2006 Interim Year End Closeout. He indicated that the deadline for submitting projects was April 28, 2006 and 20 projects were evaluated. Mr. Giles noted that in order for the CMAQ funds to be obligated by the end of FY 2006, the project should be well underway in the Federal Project Development Process and be in the position to bid by the end of FY 2006. He stated that the amount available for funding FY 2006 closeout projects has been revised to \$3.5 million. Mr. Giles added that the amount of CMAQ requested has exceeded the amount available. He indicated that the evaluation used the latest CMAQ methodologies, dated August 15, 2005, and was distributed for interagency consultation.

Mr. Giles stated that Attachment A contains the results of the project evaluation with the estimated emission reductions in terms of total organic gases, nitrogen oxides, and PM-10. The projects are listed in order of cost-effectiveness based on total CMAQ cost. Mr. Giles stated that on February 8, 2006, the MAG Management Committee heard a request for adding the paved dirt road projects to the MAG Transportation Improvement Program. At that time, the City of Phoenix encouraged MAG to target CMAQ funding on projects with the highest impact on particulate pollution. With that in mind, the projects that reduce PM-10 the most include: purchasing remaining FY 2006 PM-10 certified street sweepers, the Fort McDowell-Yavapai Nation pre-design and design of dirt road paving, and the two Valley Metro/Valley Metro Rail projects, which are to construct bus intermodal transfer stations and construct the light rail 20-mile minimum operating segment. Mr. Giles stated that Attachment B includes the two Air Quality Projects.

Randi Alcott, Valley Metro, commented that the Air Quality Projects rank at the top of Attachment A. She asked why projects 3, 4, and 5 do not have PM-10 reductions. Mr. Giles replied that projects 3, 4, and 5 are ITS projects, which do not have a PM-10 benefit. Ms. Alcott inquired about which projects would be funded with the \$3.5 million. Mr. Giles responded that the request from Valley Metro Rail for the light rail 20-mile minimum operating segment is \$3 million, so only a portion of that project could be funded.

Mr. Cleveland commented that the Valley Metro/Valley Metro Rail projects are of equal value in terms of cost-effectiveness and emission reductions. He inquired about the ranking of the projects.

Mr. Giles responded that previously, there has been discussion about funding projects with the most PM-10 emission reductions. If the Committee was to decide that today, then projects 1 and 2 on the list as well as the Valley Metro/Valley Metro Rail projects would be the highest ranking projects to receive CMAQ funds.

Ms. Alcott made a motion that the purchase of remaining FY 2006 PM-10 certified street sweepers, the Fort McDowell-Yavapai Nation pre-design and design of dirt road paving, and the two Valley Metro/Valley Metro Rail projects, which are to construct bus intermodal transfer stations and construct the light rail 20-mile minimum operating segment be ranked based on their impact on PM-10 and forwarded to the MAG Transportation Review Committee (TRC). Gaye Knight, City of Phoenix, seconded the motion. Mr. Cleveland asked for discussion on the motion.

Michael Powell, City of Avondale, commented that it is his understanding that light rail has separate funding sources directly from Congress. He asked why CMAQ funds are going towards light rail when there are other federal funding sources. Mr. Giles replied that a portion of the funding for the light rail is included in the Regional Transportation Plan. He stated that in addition to the full funding grant agreement through the FTA, the remaining portion is being funded by local funds as well as other federal funds. Mr. Powell commented on federal funding of the light rail.

Ms. Knight stated that the light rail is being built, in part, because cities passed bond elections, so it is not all federally funded. Mr. Powell commented that CMAQ funds cannot be used as a match towards federal funds. He indicated that light rail has channel funding that is received as well as local matches. Mr. Powell asked if the \$3 million request is absolutely necessary because the thought is Congress may not fund light rail over the next few years to the level that has already been designated. If that is not the case, the political decision should be looked at if Congress has already indicated that they will fund light rail in the region. By funding light rail at this amount, 4 to 5 other projects will not receive funding. Mr. Powell commented on having a minimum cost-effectiveness otherwise projects would not be considered. Ms. Knight stated that Ms. Alcott went to get additional information.

Mr. Tveit commented that the evaluation is based on cost-effectiveness. He stated that member agencies have prepared applications using that formula. Cities have internally prioritized which projects are most cost-effective. He stated that changes should not be made at this stage.

Mr. Powell commented that three years ago cost-effectiveness was not a primary deciding factor. He acknowledged the importance of cost-effectiveness, but asked why funds are being dedicated to a project that already has a source of funding. Mr. Giles stated that the light rail project was evaluated on the part of the CMAQ that was anticipated for funding the 20-mile minimum operating segment and that amount was approximately \$59.8 million. To date, only a portion of that amount has been requested. In addition, the project is included in the Regional Transportation Plan, which received voter approval.

Peter Hyde, Arizona Department of Environmental Quality, commented that the Valley Metro/Valley Metro Rail projects have equal amounts of PM-10 reduced and the same cost-effectiveness, but different costs. Mr. Giles replied that the CMAQ funds requested column is the amount agencies are requesting, but the total amount of CMAQ for the 20-mile minimum operating segment was used in calculating the cost-effectiveness. Therefore, it is the total CMAQ funds for the project itself, not just this phase. Mr. Cleveland requested that further discussion be delayed until Ms. Alcott returns

with clarification from Valley Metro Rail. Mr. Powell commented that he was not aware the budget for light rail includes \$59.8 million being dedicated as CMAQ funds as part of the overall budget. Mr. Cleveland referred to the cost-effectiveness column in Attachment A and stated that the Valley Metro/Valley Metro Rail projects would be next in rank order, following the Air Quality Projects, if the ITS projects were removed since they have no PM-10 impact.

5. Industry Perspective From the Clark County Dust Control Program Workshop

Steve Trussell, Arizona Rock Products Association (ARPA), presented the industry perspective on the March 17, 2006 Clark County Dust Control Program Workshop in Las Vegas, Nevada. He indicated that the purpose of the workshop was to learn about the PM-10 issues in Clark County and strategies that have been implemented to control the problem. As part of the workshop, visits were made to construction areas, mining sites, and other locations where PM-10 can be an issue. Mr. Trussell provided background information on the Arizona Rock Products Association and mentioned the contingent of public and private representatives from Maricopa County that attended the workshop.

Mr. Trussell discussed the enforcement approach in the Clark County Dust Control Program. He mentioned Corrective Action Orders versus Notices of Violation. Mr. Trussell indicated that Corrective Action Orders should be considered in Maricopa County. He stated that in Clark County, leveling is based on history and compliance with the performance standard. Control measures are activity specific, soil specific, site specific, and include flexible strategies to meet the performance standard. Mr. Trussell mentioned that enforcement is complaint driven in Clark County.

Mr. Trussell provided an overview of the training in Clark County. He indicated that there are industry stakeholder meetings, training for industry on compliance expectations, and concrete batch, asphalt batch and aggregate mining training with industry. Mr. Trussell stated that inspectors and site supervisors are educated jointly in Clark County. He also discussed the comprehensive media campaign and education and outreach program.

Mr. Trussell discussed the participation of the Arizona Rock Products Association in controlling PM-10 in Maricopa County. He stated that ARPA has participated in stakeholder meetings, public hearings, brown bag workshops, educational opportunities, and PM Publicity Campaign planning. Members of ARPA are educated on the issue by ARPA Smoke School, hosted dust certification courses, inspection compliance workshops, Community Excellence Awards Program, industry Best Management Practices, and community relations training.

Mr. Trussell mentioned ARPA partnering efforts. These included tours for regulators, Maricopa County presentations at ARPA meetings, Maricopa County participation in the Environmental Committee, MAG presentation at the Environmental Committee Meeting, and "Ride Alongs" with Maricopa County. Other partnering efforts include dust advisories, Alternative Control Measures Study with Maricopa County and EPA, Aggregate Mining District, and community tours.

4. Evaluation of Proposed CMAQ Projects for the Federal FY 2006 Interim Year End Closeout (Continued)

Mr. Cleveland referred back to discussion on agenda item #4, Evaluation of Proposed CMAQ Projects for the Federal FY 2006 Interim Year End Closeout. He stated that the Committee has two

functional responsibilities. The Committee typically forwards Attachment A to the TRC based on cost-effectiveness for use in prioritizing projects. With Attachment B, the Committee traditionally makes a recommendation to forward to the TRC a priority ranking of Air Quality Projects. Mr. Cleveland asked Mr. Powell to restate his earlier question. Mr. Powell asked why projects that have funding streams from other federal sources are being funded with CMAQ dollars. Ms. Alcott responded that she just spoke with John Farry, Valley Metro Rail. According to the full funding agreement submitted to the FTA, there was \$18 million committed. The assumptions were predicated on a certain amount of CMAQ funds and the remaining balance is \$12 million to be funded from CMAQ through 2010. Mr. Powell asked if \$47 million has already been funded through the CMAQ process for light rail since \$59.8 million CMAQ dollars have been dedicated towards the project. Mr. Giles replied that was correct.

Spencer Kamps, Homebuilders Association of Central Arizona, asked how the \$59.8 million has been allocated from CMAQ to Valley Metro Rail. Ms. Alcott replied through the MAG CMAQ Process. Mr. Giles stated that information about the \$59.8 million came from a Valley Metro Rail letter provided to MAG. Previously, CMAQ has been used to fund portions of the light rail project through closeout or the programming process of the MAG Transportation Improvement Program.

Mr. Powell commented on the funding last year. Mr. Kamps asked which projects are near the monitors that have been exceeding the PM-10 standard. Ms. Knight replied that the City of Phoenix is not requesting Federal FY 2006 CMAQ closeout funds; however, a presentation later in the meeting will show the work that has been done in the Salt River Area. Mr. Cleveland stated that in order for projects to be eligible for CMAQ closeout funds, the projects need to be well underway and be able to begin by the end September 2006. Ms. Bauer stated that in September, the Committee will be requested to recommend a new prioritized list of proposed PM-10 Certified Street Sweeper Projects for CMAQ funding. In the evaluation process, the street sweeper projects that are near the PM-10 monitors will be identified. Mr. Cleveland stated that there were street sweepers that could not be funded this past year and are now requesting CMAQ closeout funds.

Mr. Cleveland referred to the earlier motion. Traditionally, the Committee forwards Attachment A to the TRC ranked in order of cost-effectiveness. The motion by Ms. Alcott identified four projects for CMAQ funding that would have the most impact on PM-10. Ms. Knight asked if the motion could be amended to recommend the whole list with a highlight on the top four projects that have the most impact on PM-10. Mr. Giles asked if the motion was to move the two Valley Metro/Valley Metro Rail projects ahead of the ITS projects. Mr. Cleveland clarified that the motion was to forward the projects ranked by the value of the weighted PM emission reductions. Ms. Alcott withdrew her motion. Ms. Tax made a motion to forward the evaluation in Attachment A to the TRC with a priority on the top four PM-10 reducing projects. Ms. Alcott seconded the motion. Larry Person, City of Scottsdale, commented that it is entirely appropriate for this Committee to consider the weighted PM emission reductions. The motion passed with Mr. Powell abstaining.

Mr. Cleveland requested a motion to forward the Air Quality Projects in Attachment B in rank order to the TRC. Ms. Knight moved and Mr. Powell seconded and the motion passed unanimously.

6. City of Phoenix Dust Control Projects

Ms. Knight provided an overview of the projects and programs underway by the City of Phoenix to reduce particulate emissions. She presented the trend of the number of days where the PM-10

standard was exceeded and showed the locations of the PM-10 monitors. Ms. Knight stated that the City of Phoenix and Maricopa County partnered to conduct daily sweeping by the monitors in the Salt River Area. She mentioned that shoulders were also paved along Broadway Road. Ms. Knight stated that, according to the Phoenix Zoning Code, residential parking lots with more than two spaces and commercial parking lots are required to have paved parking. She indicated that this is more stringent than Maricopa County. Ms. Knight discussed the success of parking lot enforcement in the Salt River Area and mentioned that information about dust control was distributed in the area before Notices of Violation were given.

Ms. Knight discussed intersection improvements in the Salt River Area. She indicated that two intersections are planned in the budget this year, and two are proposed for next year. Ms. Knight added that the City of Phoenix is working closely with Maricopa County. She indicated that Phoenix has also been looking at shoulders in the Salt River Area to determine where gravel/asphalt is needed. Ms. Knight provided a map of the Salt River Area showing land ownership around the West 43rd Avenue PM-10 monitor. She also provided before and after pictures of the improvements made in the Salt River Area.

Ms. Knight discussed dust inspection compliance assistance. She indicated that 7,700 grading/drainage inspections are conducted per year and 15-20 dust issues arise per week. She stated that only 5 percent of the dust issues are referred to Maricopa County. Ms. Knight mentioned that the City of Phoenix provides dust training for over 500 staff per year. She stated that there are over 300 undeveloped lots owned by the City. These lots are inspected routinely and treatments such as gravel and fencing are applied.

Ms. Knight mentioned the projects, volume, and cost that the City of Phoenix has invested in dust control measures since 1999. She stated that Phoenix is participating in the National Cooperative Highway Research Project and MAG Silt Loading Study.

Ms. Knight indicated that she would place her presentation on the City of Phoenix website. Mr. Trussell stated that he would make his presentation regarding industry perspective on the Clark County Dust Control Program Workshop available on the Arizona Rock Products Association website.

8. Call for Future Agenda Items

Mr. Cleveland announced that the next meeting of the Committee is tentatively scheduled for June 29, 2006. With no further comments, the meeting was adjourned.